IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 13TH JUNE 2007 / 23RD JYAISHTA 1929

Bail Appl..No. 3674 of 2007()

CC.618/1995 of J.M.F.C.,NORTH PARAVUR

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PETITIONER/4TH ACCUSED :

ROY, S/O.JOSEPH,
MAVUNGASSERY, CHERAI, PALLIPPURAM
ERNAKULAM DISTRICT

BY ADV. SRI.V.M.KRISHNAKUMAR

RESPONDENTS:

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1. STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM

2. SUB INSPECTOR OF POLICE, NORTH PARAVUR

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 13/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No. 3674 of 2007

DATED: 13-06-2007

O R D E R

Petitioner who is the 4th accused in Crime No. 214/94 of North Paravur Police Station for offences punishable under Sections 143, 148, 324 and 323 read with Sec. 149 I.P.C. , seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioner in C.C.No. 618 of 1995 on the file of the J.F.C.M., North Paravur, the case against the petitioner has been transferred to the Long Pending Case Register as L.P. Case No.60 of 2005. Admittedly, non-bailable warrants of arrest are pending against the petitioner. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the Magistrate and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate and files an application for regular bail within two weeks from today, the same shall be considered and disposed of preferably on the same day on which it is filed after considering the petitioner's contention that the co-accused in the case have been acquitted after trial.

With the above observation this application is disposed of .

V.RAMKUMAR, JUDGE.

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